BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

----- In the Matter of -----)

DIRECT ONE, LLC

DOCKET NO. 04-0239

Notice of Failure to Comply With Hawaii Revised Statutes and Commission's Regulations; Order to Show Cause Why Respondent's Operating Authority Should Not Be Suspended or Revoked.

DECISION AND ORDER NO. 22519

Filed <u>June</u> 6, 2006

Chief Clerk of the Commission

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OF THE STATE OF HAWAII

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Decision and Order No. 22519

DECISION AND ORDER

By this Decision and Order, the commission revokes the certificate of authority ("COA") held by DIRECT ONE, LLC ("Respondent").

I.

Procedural History

Pursuant to Hawaii Revised Statues ("HRS") § 269-30, the commission ordered Respondent to appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on October 6, 2004, to show cause why Respondent's COA should not be suspended or revoked for failure to pay the public utility fee that was due on July 31, 2003 and December 31, 2003.

^{&#}x27;The commission notified Respondent of the October 6, 2004 hearing by serving Order No. 21280 upon Respondent by certified mail, return receipt requested, at Respondent's last known address, or to Respondent's attorney. Pursuant to Hawaii Administrative Rules § 6-61-21, service is deemed complete upon properly stamping, addressing, and mailing the order to

The commission notified Respondent that its COA would be revoked if it failed to appear at the scheduled hearing.

On October 6, 2004, Respondent failed to appear before the commission's hearing officer. As a result, the hearings officer recommended that the commission render the following findings and conclusions: (1) Respondent be found in default for failure to appear at the hearing, and (2) Respondent's COA be revoked.

II.

Findings and Conclusions

Based on the entire record, the commission finds that Respondent has not complied with Order No. 21280, the applicable laws, rules, and regulations, and concludes that Respondent's COA should be revoked.

III.

<u>Orders</u>

THE COMMISSION ORDERS that Respondent's COA is revoked, and this docket is closed unless otherwise ordered by the commission.

04-0239

Respondent's last known address, or to Respondent's attorney. Additionally, pursuant to HRS § 91-9.5, the commission provided Respondent with notice of hearing via statewide publication in newspapers of general circulation on September 14 and September 21, 2004.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlito P. Caliboso, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

Catherine P. Awakuni Commission Counsel

04-0239.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No. 22519</u> upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

JOHN E. COLE, EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

ANTHONY BROWN, PRESIDENT DIRECT ONE, LLC P. O. Box 11968 Santa Ana, CA 92711-1968

por Gleaner Philosoppe Karen Higashi

DATED: JUN - 6 2006